

APPROVED: Meeting No. 44-80

ATTEST: *John M. Hanna, Jr.*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 41-80

November 10, 1980

The Mayor and Council of Rockville, Maryland, convened in executive session in the Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville Maryland, on Monday, November 3, 1980, at 6:00 p.m. according to Article 76A Section 11 (a)(6). There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 7:55 p.m.

November 10, 1980

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville, City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, November 10, 1980, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams

Councilwoman Phyllis Fordham

Councilman John Freeland
(arrived at 8:15 p.m.)

Councilman John Tyner
(arrived at 8:10 p.m.)

The Mayor in the Chair.

In attendance: City Manager Larry Blick; Director of Recreation and Parks Ronald Olson; Information Officer Sue M. Patterson; Director of Budget Anna Lee Berman; Assistant City Attorney Francis Lacey; Director of Finance John Lawton; Chief of Police Jared Stout; Director of Planning James M. Davis; Director of Community Development Douglas Horne.

Re: City Manager's Report

Mr. Blick reported the following:

1. On Wednesday evening, the staff and landscape architect will meet at the College Gardens Elementary school to review the landscaping for Gude Drive. All the residents that will be affected have been notified of the meeting.

2. The Promotion Book for the City of Rockville received the Industrial Graphic International Award of Merit for 1980. Mr. Blick congratulated Sue Patterson, Doug Horne and Mike Davis for preparing the book. Mayor Hanna expressed his pleasure and asked Mr. Blick to extend the Mayor and Council's congratulations.

3. Work has begun to move the B&O Station. The engineer is deciding where to place the steel beams. It will take about 2 months to finish the project. Mayor Hanna asked if the actual movement of the building would take one day. Mr. Blick said he did not know. Councilman Abrams asked what is the timing for the opening of the new rail station. Mr. Blick said the two people from Metro who are responsible for that are out of town but he will report back on it next week.

Re: Approval of Storm Water Management Waiver - 611 Southlawn Lane

This request is in connection with a new building at 611 Southlawn Lane on the subject lot located in the Rock Creek Drainage Area.

This was formerly the site of the driver licensing test center for MVA and was paved in its entirety to serve that operation. Some of the existing paving is to be removed and replaced with a building. The paving in front of the building is to be replaced with sod. In effect, the storm water runoff will be reduced.

The "Land Disturbing Activity" on this lot exceeds the minimum area set forth in Chapter 17. The runoff from this lot, although slightly reduced, will still contribute to runoff problems experienced downstream.

On-site detention is not feasible because the surface is completely paved (i.e. impervious) and there is no existing storm drain to drain an underground detention system. Therefore, the committee recommends that the on-site requirement be waived and a contribution for this land disturbing activity of 0.4 acres at \$9,000 per acre or \$3,600 be made to the City's off-site program. The Montgomery Soil Conservation District Personnel agrees with the recommendations.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the Mayor and Council accepted the SWM Committee's recommendation.

Re: Introduction of Ordinance: To repeal and re-enact, with amendments, Section 2-301(b) of Chapter 9 of the Laws of Rockville, entitled, Fire Code, to provide that turnaround requirements shall apply to any dead end road, whether public or private.

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to provide that turnaround requirements shall apply to any dead end

road, whether public or private, said ordinance to lay over at least one week before final action is taken.

Re: Award of Contract: To study
the feasibility of expanding
the indoor pool at the Rockville
Municipal Swim Center

During the FY 1981 budget process, the Recreation and Parks Advisory Board, with the support of many interested pool users and other citizens, recommended that the City study the feasibility of expanding its indoor aquatic facilities. Interest in this feasibility study arose due to the increasing use of the current Municipal Swim Center, which has caused crowded lap lanes and has limited program participation opportunities available to citizens. A budget of \$15,000, funded from the Municipal Swim Center fund balance, was approved in order to retain an architect/consultant to perform the study.

A letter and Scope of Services for this project was sent to 64 architectural/consulting firms on August 1, 1980. In addition, advertisements for the job were placed in "The Washington Post", "The Washington Star", and "The Baltimore Sun". Twelve firms submitted Expressions of Interest for performing the services.

A selection committee reviewed the twelve Expressions of Interest and five firms were selected as finalists, based on past experience in similar projects, qualifications of personnel, etc.

On October 9, 1980, a pre-proposal meeting was held at the Civic Center, at which all five firms were represented. Final priced proposals were submitted by all five firms on October 22, 1980. The proposals were reviewed by the committee, and on October 29, 1980, a forty-five minute interview was conducted with each firm.

Listed below are the five firms chosen as finalists and their price proposals for performing the work for each of the two parts.

	<u>Part I</u>	<u>Part II</u>	<u>Total</u>
1. Hughes Group Architects, Inc., Reston, Virginia	\$10,200	\$3,885	\$14,085
2. Taylor Garvin Associates, Inc., Reston, Virginia	7,542	9,560	17,102
3. Sulton Campbell & Associates, Washington, D.C.	14,488	6,615	21,103
4. McLeod, Ferrara, Ensign, Chevy Chase, MD	16,035	7,240	23,275
5. Sullivan, Almy, Inc., Bethesda, MD	\$12,000	\$12,000	\$24,000

Staff recommends that Hughes Group Architects, Inc. of Reston, Virginia, be awarded the contract to perform Parts I and II of this feasibility study for a price of \$14,085.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the contract to study the feasibility of expanding the indoor pool at the Rockville Municipal Swim Center, for Parts I and II, was awarded to the Hughes Group Architects, Inc., for \$14,085.

Re: Correspondence

The Mayor and Council noted the following items of Correspondence:

1. Congressman Barnes re revenue sharing
2. James J. O'Donnell, DOT, re Frederick Avenue crossing
3. Montgomery County Government, re City's testimony on CDBG
4. Montgomery County Historical Society re City representative on Board

Councilwoman Fordham said she thinks this is an excellent idea and suggests going ahead with the idea.

5. W. Sloan, Maryland Environmental Service re hazardous waste treatment
6. May Beeley, re use of senior bus to the doctor's office

Mayor Hanna asked what was happening with this. Mr. Blick said a survey has been taken regarding transportation for senior citizens to medical help and the results are now being tabulated. A letter will be sent to Mrs. Beeley.

7. Kenneth Hoch, re extension of Yale Drive

Councilwoman Fordham said several letters have been received and there seems to be a misunderstanding. Many people think an action was taken and she would like to state again that no action has been taken. She hoped that an article is being prepared for the Newsletter printing the factual information.

8. 18 letters from residents of College Gardens/Woodley area re Yale Drive
(see Item No. 7)
9. Mrs. G.C. Murray, re giveaway door.

Mayor Hanna asked what was happening with this. Mr. Blick said a letter is being prepared for Mayor's signature.

10. T.A. Zotto, re cleanup of post office

Councilman Abrams said he is glad to have someone finally take responsibility for the building. He told the Council that he made a call this past week to GSA and they said that the post office was not their responsibility. Mayor Hanna said he is most pleased with the progress and would like for the staff to follow up on this matter to see who is responsible.

Re: Citizen's Forum

The Mayor opened the meeting to those persons who wished to address the Mayor and Council.

1. Barbara Lingenfelter, 10 Owens Court, President of the West End Civic Association. Mrs. Lingenfelter told the Council that she has noticed that many of the City roads have been resurfaced and she would just like to say thank you and that they look terrific. She said she is also pleased with the new left turn signal at Nelson Street and Route 28. There has been no traffic jams and she asked the Mayor and Council to thank who ever is responsible.

2. Steve Fisher, President-elect of the Rockville Civic Federation. Mr. Fisher said he was at City Hall this afternoon between the hours of 4 and 5 attending some business. When he got to his car he found a \$10 parking ticket on his car. He asked the Mayor what it was for since he could not read the violation. Mayor Hanna asked Mr. Fisher to confer with Chief Stout about the matter.

Re: Public Hearing: Text Amendment Application, T-39-80, G. Brugger, Applicant, to amend sections of the zoning ordinance so as to allow free-standing signs in the C-1, Local Commercial Zone

The Mayor and Council conducted a public hearing on Text Amendment Application, T-39-80, George Brugger, Applicant, and heard those persons as will be found in the stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing be closed with the record to be held open until noon on Monday, November 17, 1980.

Re: Public Hearing: A proposed ordinance to amend Section 12-1.07 of Chapter 12 of the Laws of Rockville, entitled "Public Nuisances, Morals and Conduct", to eliminate the exception for shooting areas from the prohibition against the discharge of firearms and other weapons within the City limits.

The Mayor and Council conducted a public hearing on a proposed ordinance to amend Section 12-1.07, to eliminate the exception for shooting areas from the prohibition against the discharge of firearms and other weapons within the City limits, and heard those persons as will be found in the stenographic

transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing be closed with the record to be held opened for two weeks.

Re: Public Hearing: Text Amendment Application, T-41-80, Mayor and Council applicant, to prohibit the discharge of firearms and other weapons within the City limits.

The Mayor and Council conducted a public hearing on Text Amendment Application, T-41-80, Mayor and Council of Rockville Applicant, and heard those persons as will be found in the stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing be closed with the record to be held opened for two weeks.

Re: Design and review of Phase II of Junior College Urban Renewal Site development.

On August 8, 1979, a contract was executed between the City of Rockville and Design Collection Homes, Inc., (Jack Alfandre) for the sale of 5-1/2 acres of land in the Montgomery College Urban Renewal Project. The sale was to take place in two phases. Phase I included the northernmost 2.5 acres of land upon which townhouse/office development is now taking place. The second phase was to include the remainder of the subject property upon which settlement was to be held within 18 months of the date of contract. Mr. Alfandre has since exercised his option to implement the second phase of the land sale in the amount of \$718,690.

One of the conditions of the contract is that the Mayor and Council shall have the right of design review for both phases of the project. They previously approved the design for Phase I of the project. Mr. Alfandre is now requesting approval of the design for the second phase which is identical to that of Phase I.

At its meeting of September 18, 1980, the Planning Commission reviewed and conditionally approved a use permit for the second phase of the Alfandre townhouse/office project. Since Phase II is a duplicate of the Phase I project, the Planning Commission endorsed the design and site plan for the townhouse/office project. Recent visits to the site by the staff indicate that the first phase of the townhouse project is proceeding in accordance with approved plans. More

work, however, needs to be done on the landscaping aspect of the development. The staff has been in contact with the developers in this regard, consequently, full compliance is expected with all requirements imposed as part of the use permit process.

Since Phase I of the project is proceeding in accordance with the approved design and since the Planning Commission has endorsed the townhouse/office complex for Phase II, staff recommends that the Mayor and Council approve the design of Phase II Development for Design Collection Homes, Inc., in the Montgomery College Project.

Councilwoman Fordham said she had no problem with the design but is concerned with the landscaping and asked if the landscaping is to be done in the spring. Mr. Alfandre explained to Councilwoman Fordham that there is a performance bond posted with the City which will not be released until the work is done satisfactorily. He also added that if the materials for landscaping are available this year and if the weather cooperates, the landscaping will be completed. But if not, it will be done as soon as possible.

Councilman Tyner asked Mr. Davis if the staff is satisfied with the landscaping. Mr. Davis said he will not be satisfied until it is in the ground. Councilman Tyner said he is also concerned with the landscaping that has never been done. Mr. Alfandre again pointed out that the City is holding the performance bond. Councilwoman Fordham asked when the bond could be called. Mr. Lacey said the bond could be called when they are not in compliance with the time limit.

It was the consensus of the Council to approve the design of Phase II development for Design Collection Homes, Inc., in the Montgomery College Project.

Re: FYI

The Mayor and Council noted the following items of information.

1. Memo from Director of Public Works (10/28/80) re storm water runoff
2. Copy of letter to City Manager re Beall/Dawson house
3. Memo from City Attorney re Gude Drive suit

Re: New Business

1. Councilman Tyner said that the minutes of Meeting No. 39-80, October 22, 1980, regarding approval of preliminary design of Courthouse Square, were incorrect and would amend them when the Council got to approval of minutes. Regarding the same subject, Councilman Tyner asked if the Council would be interested in having a facade treatment done to City owned buildings. He

suggested that staff talk to Mr. Moore about it. Mr. Blick said the architect was asked to give a sketch of 30 Courthouse Square. Interest was shown so it will be done. Councilwoman Fordham expressed concern about the cost of the project and suggested that the cost come from the private sector.

Councilman Tyner said it is very important to consider having some sort of control and suggested a new face treatment for all buildings on the north side. Councilwoman Fordham said she is willing to wait and see if staff can come up with something.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 39-80, October 27, 1980, were approved as amended.

Re: Adjournment

There being no further business to come before the Council in general session, the meeting was adjourned at 12:15 a.m. to convene again on Monday, November 17, 1980, at 8:00 p.m. or at the call of the Mayor.